

Alabama Onsite Wastewater Board



Functional Analysis & Records Disposition Authority

**Presented to the
State Records Commission
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Functional and Organizational Analysis of the Alabama Onsite Wastewater Board

Sources of Information

- Representative of the Alabama Onsite Wastewater Board
- Code of Alabama 1975 § 34-21A-1 through § 34-21A-26
- Code of Alabama 1975 § 41-20-3 (Sunset Law)
- Code of Alabama 1975 § 41-22-1 through § 41-22-27 (Administrative Procedures Act)
- Alabama Administrative Code Chapters 628-X-1-.01 through 150-X-5-.07
- Alabama Government Manual (1998)
- Government Records Division, State Agency Files (1985-ongoing)

Historical Context

The Alabama Legislature created the board in 1999. Individuals engaged in the onsite wastewater industry were not regulated prior to 1999.

Agency Organization

The board consists of nine appointed members. Of the nine members, three members are appointed by the governor, three members are appointed by the lieutenant governor, and three members are appointed by the speaker of the House of Representatives. Specific qualifications and terms of service for each appointed member are stated in the Code of Alabama 1975 § 34-21A-3. The board elects a chair, a vice-chair, and a secretary/treasurer annually. The board meets at least four times each year on a quarterly basis. Five or more members of the board constitute a quorum. The board employs an executive director and other support personnel to administer the board's work. An organizational chart is attached.

Agency Function and Subfunctions

The mandated function of the Alabama Onsite Wastewater Board is to examine, license, and regulate persons engaged in manufacturing, installing, or servicing onsite wastewater systems in Alabama. The board is one of the agencies responsible for performing the Regulatory function of Alabama government.

In the performance of its mandated function, the board may engage in the following subfunctions.

- **Promulgating Rules and Regulations.** In accordance with the Code of Alabama 1975 § 34-21A-9, the board has the authority to adopt and issue rules and regulations necessary to carry out the board's mandate. This subfunction encompasses activities pertaining to the establishment/promulgation of procedures and qualifications for the

licensure of individuals engaged in the onsite wastewater industry, initial training and continuing education requirements, and the complaint process.

- **Licensing.** All persons who are involved in the installing, cleaning, servicing, repairing, maintaining, or manufacturing onsite wastewater septic systems, tanks, and receptacles must apply for and maintain valid licenses issued by the board. There are four types of licenses: (1) a basic level license for installation of a conventional onsite wastewater system; (2) an advanced level license for installation of an engineer designed alternative onsite wastewater system; (3) a pumper's license for pumping of septic tanks, portable toilets and grease traps; and (4) a manufacturer's license for manufacturing concrete or plastic septic tanks. For installers, an applicant must first obtain a basic level license before qualifying for an advanced level license. Each applicant for a specific license must meet basic eligibility requirements set by the board for the type of license desired, complete an application form, submit the form along with supporting documents (such as evidence of bonds) and fees, participate in the initial training courses offered by the Alabama Onsite Wastewater Association or other board approved institution, and pass an examination given by the board. All licenses are valid only for one year. Licensees must meet the annual continuing education requirements in order to renew their licenses. If a licensee fails to renew his or her license 90 days after the deadline, s/he must start the licensure process again to obtain a new license.
- **Enforcing.** Under the authority of the Code of Alabama 1975 § 34-21A-22, the board may process, review, and investigate reports and complaints of fraud, incompetence, misconduct, gross negligence, and dishonest or illegal acts of licensees in the performance of work. Depending upon its findings, the board may conduct a disciplinary hearing and take necessary disciplinary actions.
- **Administering Internal Operations.** A significant portion of the agency's work includes general administrative, financial, and personnel activities performed to support the programmatic areas of the agency.

Managing the Agency: Activities include internal office management activities common to most government agencies such as corresponding and communicating; scheduling; meeting; documenting policy and procedures; reporting; litigating; drafting, promoting, or tracking legislation; publicizing and providing information; managing records; and managing information systems and technology.

Managing Finances: Activities include budgeting (preparing and reviewing a budget package, submitting the budget package to the state Finance Department; documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency's budget through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; assisting in the audit process; investing; and issuing bonds.

Managing Human Resources: Activities involved in managing human resources may include the following: recruiting and hiring eligible individuals to fill vacant positions within the agency; providing compensation and benefits to employees; supervising employees (evaluating performance, disciplining, granting leave, and monitoring the accumulation of leave); and providing training and continuing education for employees.

Managing Properties, Facilities, and Resources: Activities involved in managing properties, facilities, and resources may include the following: inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; constructing buildings and facilities; leasing and/or renting offices or facilities; providing for security and/or insurance for property; and assigning, inspecting, and maintaining agency property, including vehicles.

Analysis of Record Keeping System and Records Appraisal of the Alabama Onsite Wastewater Board

Agency Record Keeping System

The Alabama Onsite Wastewater Board currently operates a hybrid record keeping system composed of paper and electronic records.

Records Appraisal

The following is a discussion of the two major categories of records created and/or maintained by the Alabama Onsite Wastewater Board: Temporary Records and Permanent Records.

I. Temporary Records. Temporary records should be held for what is considered their active life and be disposed of once all fiscal, legal, and administrative requirements have been met. Some of the temporary records created by the Alabama Onsite Wastewater Board are discussed below.

- **Unused Pre-Numbered Blank Licenses.** This series consists of pre-numbered blank licenses that have never been used by the board. As a safeguard against loss or misuse, those blank licenses should be retained until the completion of one audit review.

II. Permanent Records. The Government Records Division recommends the following records as permanent.

Promulgating Rules and Regulations

- **Meeting Minutes of the Board.** The meeting minutes of the board document the decisions and actions of the board including the approval or denial of requests for licensure. These records provide important information and documentation of the board's actions that may not be found elsewhere. **(Bibliographic Title: Meeting Minutes)**

Licensing

- **Rosters of Licensees.** In accordance with the Alabama Administrative Code Chapter 628- X-3-.07, the board publishes a roster of licensees three (3) times each year, specifically in February, June, and October. Copies of rosters are sent regularly to the State Department of Public Health and all of the 67 county health departments for reference. The roster provides documentation of the profession of onsite wastewater industry and should be preserved permanently. **(Bibliographic Title: Rosters of Licensees)**
- **Examination Questions and Answer Keys.** In accordance with the Code of Alabama 1975 § 34-21A-15, the board is obligated to design and provide different examinations to

test the knowledge, skill, and qualifications of applicants for different types of licenses. The examination questions and answer keys should be kept as a part of the permanent documentation because they reflect the board's efforts in maintaining the established standards for the profession. **(Bibliographic Title: Examination Questions and Answer Keys)**

- **Licensure Files.** This series is created to document the licensure process. The retention of this series is governed by the Code of Alabama 1975 § 34-21A-5(c), which mandates "all license applications, whether accepted or rejected, and supporting documentation and information" must be retained permanently by the board staff.
- **Rejected Application Files.** This series consists of application files rejected by the board for licensure. The retention of this series is governed by the Code of Alabama 1975 § 34-21A-5(c), which mandates "all license applications, whether accepted or rejected, and supporting documentation and information" must be retained permanently by the board staff.

Enforcing

- **Investigation and Disciplinary Files.** This series document the efforts of the board in investigating reports or complaints and taking disciplinary actions. The retention of this series is governed by the Code of Alabama 1975 § 34-21A-5(c), which mandates records documenting "all investigative, enforcement, and disciplinary actions taken by the board" must be retained permanently by the board staff.

Administering Internal Operations

- **Annual Reports.** The Code of Alabama 1975 § 34-21A-8 mandates the board to prepare and submit annually to the governor a report of its transactions for the preceding fiscal year. Annual reports are the best summary documentation of the board's function and activities. **(Bibliographic Title: Annual Reports)**
- **Informational and Educational Publications.** This series may consist of various publications released by the board for mass distribution. Currently, the board publishes a quarterly newsletter, *AOWB Newsletter*, which may include subjects such as executive director's reports, training and continuing education opportunities, enforcement activities, and calendars of events. In addition, the board issues a brochure, entitled "Licensing Information," to provide concise information on licensure procedures. This series should be preserved permanently as a part of the board's documentation. **(Bibliographic Title: State Publications)**
- **Web Sites.** The board has a website at www.aowb.state.al.us. Information on the web includes a list of board members, staff data, rules and regulations, related laws, forms, newsletters, calendars of events, and FAQs. The website can also be used to search licensees either by last name or county of residence. The disposition statement calls for

retaining a “snapshot” of complete web site information annually or as often as significant changes are made to the site.

Accessibility of Records

Under the Alabama Administrative Code Chapter 628-X-2-.2, “All records maintained by the board, unless protected by state statute or administrative regulation, are open for public inspection during regular business hours. Requests to review or obtain records should be submitted in writing to the executive director.”

Permanent Records List Alabama Onsite Wastewater Board

Promulgating Rules and Regulations

1. Meeting Minutes of the Board

Licensing:

1. Rosters of Licensees
2. Examination Questions
3. Licensure Files*
4. Rejected Application Files*

Enforcing:

1. Investigation and Disciplinary Files*

Administering Internal Operations

1. Annual Reports
2. Informational and Educational Publications
3. Web Sites

* indicates permanent records that are mandated by the Code of Alabama 1975 § 34-21A-5(c). ADAH anticipates those records will remain in the care and custody of the creating agency.

ADAH staff is available to work with agency staff in determining the best location and storage conditions for the long-term care and maintenance of permanent records.

Alabama Onsite Wastewater Board Records Disposition Authority

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975 § 41-13-5 and § 41-13-20 through 21. It was compiled by the Government Records Division, Alabama Department of Archives and History (ADAH), which serves as the commission's staff in cooperation with representatives of the Alabama Onsite Wastewater Board. The RDA lists records created and maintained by the Alabama Onsite Wastewater Board in carrying out its mandated functions and activities. It establishes retention periods and disposition instructions for those records and provides the legal authority for the Alabama Onsite Wastewater Board to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successor in office and made available to members of the public. Records must also be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975 § 36-12-2, § 36-12-4, and § 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the ADAH Government Records Division at (334) 242-4452.

Explanation of Records Requirements

- This RDA supersedes any previous records disposition schedules governing the retention of the Alabama Onsite Wastewater Board. Copies of superseded schedules are no longer valid and may not be used for records disposition.
- The RDA establishes retention and disposition instructions for records listed below, regardless of the medium on which those records may be kept. Electronic mail, for example, is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.
- Some temporary records listed under the Administering Internal Operations subfunction of this RDA represent duplicate copies of records listed for long-term or permanent retention in the RDAs of other agencies.
- Certain records and records-related materials need not be retained as records under the disposition requirements in this RDA. Such materials include: (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; (2) catalogs, trade journals, and other publications received that require no action and do not document government activities; (3) stocks of blank stationery, blank forms, or other surplus materials that are not subject to audit and have become obsolete; (4) transitory records, which are temporary records created for short-term, internal purposes that may include, but are not limited to: telephone call-back messages; drafts of ordinary documents not needed for their evidential value; copies of

material sent for information purposes but not needed by the receiving office for future business; and internal communications about social activities; and (5) honorary materials, plaques, awards, presentations, certificates, and gifts received or maintained by the agency staff.. They may be disposed of without documentation of destruction.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions of the Alabama Onsite Wastewater Board and lists the groups of records created and/or maintained by the board as a result of activities and transactions performed in carrying out these subfunctions. The board may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular quarterly meetings.

Promulgating Rules and Regulations

MEETING MINUTES OF THE BOARD

Disposition: PERMANENT RECORD.

Recordings of Meetings

Disposition: Temporary Record. Retain until the official minutes are adopted and signed.

REGISTER OF ADMINISTRATIVE RULES

Disposition: PERMANENT RECORD. Retain in office (Code of Alabama 1975 § 41-22-6).

Administrative Rule Files

Disposition: Temporary Record. Retain for useful life.

Licensing

ROSTERS OF LICENSEES

Disposition: PERMANENT RECORD.

EXAMINATION QUESTIONS

Disposition: PERMANENT RECORD.

LICENSURE FILES (Applications, Examination Results, Renewal Records, and Other Supporting Documents)

Disposition: PERMANENT RECORD (Code of Alabama 1975 § 34-21A-5[c]).

REJECTED APPLICATION FILES

Disposition: PERMANENT RECORD (Code of Alabama 1975 § 34-21A-5[c]).

Licensure Database

Disposition: Temporary Record. Retain until superseded or obsolete.

Unused Pre-Numbered Blank Licenses

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Enforcing**INVESTIGATION AND DISCIPLINARY FILES**

Disposition: PERMANENT RECORD (Code of Alabama 1975 § 34-21A-5[c]).

Administering Internal Operations: Managing the Agency**ANNUAL REPORTS**

Disposition: PERMANENT RECORD.

INFORMATIONAL AND EDUCATIONAL PUBLICATIONS

Disposition: PERMANENT RECORD.

Sunset Committee Review Records

Disposition: Temporary Record. Retain until completion of subsequent sunset review.

Appointment Letters

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the term expired.

Routine Correspondence

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Mailing Lists

Disposition: Temporary Record. Retain for useful life.

Administrative Reference Files

Disposition: Temporary Record. Retain for useful life.

Records documenting the implementation of the agency's RDA (copies of transmittals forms to Archives or State Records Center, evidence of obsolete records destroyed, and annual reports to the State Records Commission)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Copy of RDA

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the RDA is superseded.

WEB SITES

Disposition: PERMANENT RECORD. Retain a “snapshot” of complete web site information annually or as often as significant changes are made to the site.

System Documentation (hardware/software manuals and diskettes, warranties, Y2K records)

Disposition: Temporary Record. Retain documentation of former system 3 years after the end of the fiscal year in which the former hardware and software no longer exists anywhere in the agency and all permanent records have been migrated to a new system.

Printouts of Acknowledgment from the Secretary of State Relating to Notices of Meetings Posted by State Agencies

Disposition: Temporary Record. Retain 3 years.

Administering Internal Operations: Managing Finances

Records documenting the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records of original entry such as journals, registers, and ledgers, and records of funds deposited outside the state treasury

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting requests for authorization from supervisors to travel on official business and other related materials, such as travel reimbursement forms and itineraries

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting contracts for services or personal property

Disposition: Temporary Record. Retain 6 years after expiration of the contract.

Records documenting the bid process, including requests for proposals and unsuccessful responses

- a. Original Bid Records Maintained in the Purchasing Office of the Agency for Contracts over \$7500

Disposition: Temporary Record. Retain 7 years after the end of the fiscal year in which the bids were opened.

- b. Duplicate copies of bid (where originals are maintained by the Finance Department - Division of Purchasing)
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the bids were opened.

Agency Audit Reports

Disposition: Temporary Record. Retain 6 years after end of the fiscal year in which the records were created.

Administering Internal Operations: Managing Human Resources

Position Classification Files

Disposition: Temporary Record. Retain 4 years after position is reclassified.

Application Materials

Disposition: Temporary Record. Retain 1 year.

Records documenting payroll (e.g. pre-payroll reports, payroll check registers)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting payroll deduction authorizations

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records documenting payroll deductions for tax purposes (including Form 941)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting an employee's work history - generally maintained as a case file

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records documenting an employee's hours worked, leave earned, and leave taken (including time sheets)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Employee Flexible Benefits Plan Files

- a. General information
Disposition: Temporary Record. Retain until superseded.
- b. Other (applications, correspondence)
Disposition: Temporary Record. Retain 6 years after termination of participation in program.

State Employee Injury Compensation Trust Fund Files

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Administering Internal Operations: Managing Properties, Facilities, and Resources**Real Property Leasing/Renting Records**

Disposition: Temporary Record. Retain 6 years after expiration of the lease.

SEMIANNUAL INVENTORY LISTS

Disposition: PERMANENT RECORD. Retain in office (Code of Alabama 1975 § 36-16-8[1]).

Transfer of State Property Forms (SD-1) (Agency copies)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Property Inventory Cards and/or Computer Files

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the items were removed from inventory.

Receipts of Responsibility for Property

Disposition: Temporary Record. Retain until return of item to property manager.

Motor Pool Vehicle Use Records

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Insurance Policies/Risk Management Records

Disposition: Temporary Record. Retain 6 years after termination of policy or membership.

Approval of Records Disposition Authority (RDA)

By signing this agreement, the Alabama Onsite Wastewater Board acknowledges its responsibilities for the proper management of its records and agrees to abide by the implementation guidelines listed below:

- The Alabama Onsite Wastewater Board will designate a managerial position as the agency records officer. This position is responsible for ensuring the development of quality record keeping systems that meet the business and legal needs of the board, coordinating the transfer and destruction of records, ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, submitting an annual report on records management activities to the State Records Commission in July of each year, and ensuring the regular implementation of the agency's approved RDA.
- Permanent records in the Alabama Onsite Wastewater Board's custody will be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.
- Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis – for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA's provisions, no record should be destroyed that is necessary to comply with requirements of the state Sunset Act, audit requirements, or any legal notice or subpoena.
- The board should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the board chooses to maintain permanent records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records' permanent preservation and accessibility.
- The Alabama Onsite Wastewater Board agrees to allow the staff of the State Records Commission or the Examiners of Public Accounts to examine the condition of the permanent records maintained in the custody of the board and to inspect records destruction documentation. Government Records Division archivists are available to train the board staff in RDA implementation and otherwise assist the board in implementing its records management program.

The State Records Commission adopted this Records Disposition Authority on July 24, 2002.

Edwin C. Bridges, Chairman
State Records Commission

Date

Receipt acknowledged:

Gary Stringfellow, Executive Director
Alabama Onsite Wastewater Board

Date